

MASTER LIST OF REVISIONS AND JUSTIFICATIONS FOR REGULATION NO. 2 FOR THE 2018-2019 TRIENNIAL REVIEW

Grammar, spelling, redundancy, clarification, and consistency revisions

EPA disapproval & no action revisions

EPA approval revisions

Regs. 2.102 – 2.106

1. **Revision:** Reg. 2.104: Strike “but not to exceed three years from effective date of permit” and add “in accordance with the 40 C.F.R. §122.47.”
Justification: CWA and 40 C.F.R. § 122.47 require compliance as soon as possible. In certain circumstances (e.g. under an EIP or Temporary Variance) “as soon as possible” may be longer than three years.
2. **Revision:** Reg. 2.104: Strike “, unless the permittee is completing site specific criteria development or is under a plan approved by the Department, in accordance with Regs. 2.306, 2.308, and the State of Arkansas Continuing Planning Process.”
Justification: In an October 31, 2016 Technical Support Document (TSD), EPA took no action on the inclusion of this phrase; however, they noted that “EPA could not determine how this exception would be implemented consistent with CWA [sections] 303 and 502 and their implementing regulations.” Because of this, the Department elects to remove the phrase that was inserted during the 2013 triennial review.
3. **Revision:** Reg. 2.105: Insert “temporary” before “modification.”
Justification: Water quality standards modifications are temporary under an EIP. This language clarifies that.
4. **Revision:** Reg. 2.106 – add parentheses around “without roots, stems, or leaves”
Justification: Grammatical correction.
5. **Revision:** Reg. 2.106 – All Flows: Strike “All Flows - Takes into account all flows and data collected throughout the year, including elevated flows due to rainfall events.”
Justification: EPA disapproved this language and it must revert to “Storm Flows”.
6. **Revision:** Reg. 2.106 – Effluent: Insert definition of “Effluent.”
Justification: “Effluent” is used several times within the regulation but is undefined. This definition is from Regulation No. 6.
7. **Revision:** Reg. 2.106 – Impairment: Strike “Exceedences” and insert “Exceedances.”
Justification: Correct spelling.
8. **Revision:** Reg. 2.106 – State of Arkansas Continuing Planning Process: Insert “§” between U.S.C. and 1313(e).
Justification: Addition of the section symbol is more accurate for the reference.

9. **Revision:** Reg. 2.106 – Storm Flows: Insert “Storm flows: Takes into account all flows and data collected throughout the year, including elevated flows due to rainfall events.”
Justification: EPA disapproved “All Flows” and it reverts back to “Storm Flows”.
10. **Revision:** Reg. 2.106 – Trout fishery: Strike “which” and insert “that.”
Justification: Grammatical correction.

DRAFT

Regs. 2.201 – 2.204

11. **Revision:** Reg. 2.202: Insert “s” after “Arkansas’.”
Justification: The Arkansas legislature supports “Arkansas’s” as the proper way to punctuate the possessive form of Arkansas.

Regs. 2.302 – 2.311

12. **Revision:** Reg. 2.302 – In eight (8) places, strike “which” and insert “that”
Justification: Grammatical correction.
13. **Revision:** Reg. 2.302: Insert “Waters” after “Trout” in subsection (F)(1).
Justification: For consistency with Appendix A language.
14. **Revision:** Reg. 2.303 – In two (2) places, strike “which” and insert “that.”
Justification: Grammatical correction.
15. **Revision:** Reg. 2.303(B): Insert a comma after “fishable/swimmable use” in the first sentence of part B.
Justification: Oxford comma; grammatical correction.
16. **Revision:** Reg. 2.303: Strike “;” and insert “,” in the third sentence of the last paragraph.
Justification: Grammatical correction.
17. **Revision:** Reg. 2.303: Insert a comma after “studies” and strike “and/or.” Insert a comma and “or both” in the fourth sentence of the last paragraph.
Justification: Grammatical correction.
18. **Revision:** Reg. 2.303: Strike “so” in the last sentence of the last paragraph.
Justification: Grammatical correction.
19. **Revision:** Reg. 2.304: Insert a comma after “Waterbodies” in the first sentence.
Justification: Oxford comma; grammatical correction.
20. **Revision:** Reg. 2.305: Insert a comma after “activity” in the next to last paragraph.
Justification: Oxford comma; grammatical correction.
21. **Revision:** Reg. 2.306: Insert a comma after “Water,” strike “or,” and insert a comma after “Waterbody” in the first paragraph.
Justification: Oxford comma; grammatical correction.
22. **Revision:** Reg. 2.306: Insert a comma after “Water,” strike “or,” and insert a comma after “Waterbody” in the second paragraph.
Justification: Oxford comma; grammatical correction.
23. **Revision:** Reg. 2.306: Add a space between the second paragraph and the list.
Justification: Formatting correction.

24. **Revision:** Reg. 2.306: Strike “so” in the last paragraph.
Justification: Grammatical correction.
25. **Revision: Reg. 2.309:** Insert “Water Quality Standards” before “Temporary Variance” in the title of Reg. 2.309.
Justification: Clarifies that the standards variance is temporary and creates consistency with 40 C.F.R §131.14.
26. **Revision: Reg. 2.309** Amend this Reg. as such:
~~A temporary variance to the water quality standards may be allowed for an existing permitted discharge facility. The variance will be for specified constituents and shall be no longer than a three year period.~~
A water quality standards temporary variance shall be developed in accordance with and meet the requirements of 40 C.F.R. §131.14 and must be approved by the Arkansas Pollution Control and Ecology Commission and the United States Environmental Protection Agency. ~~A variance will be considered when it is determined that a standard, including designated use, can ultimately be attained or when preliminary evidence indicates that a site specific amendment of the standards may be appropriate. A variance may be granted only to the applicant and will not apply to other discharges into the specified waterbody.~~
Justification: Simply referencing 40 C.F.R. § 131.14 eliminates confusion and clarifies the requirements of a WQS temporary variance.
27. **Revision:** Reg. 2.310: Add spaces between list entries.
Justification: Formatting correction to provide consistency.
28. **Revision:** Reg. 2.311: Add spaces between list entries.
Justification: Formatting correction to provide consistency.

Regs. 2.401 – 2.410

29. **Revision:** Reg. 2.401: Insert a comma between “sources” and “or” in the second sentence of the paragraph.
Justification: Oxford comma; grammatical correction.
30. **Revision:** Reg. 2.403: Insert a comma between “measurements” and “and” in the first sentence.
Justification: Oxford comma; grammatical correction.
31. **Revision:** Reg. 2.403: Strike “Part” and insert “§”.
Justification: Standardization of “40 C.F.R. §” within the Regulation.
32. **Revision:** Reg. 2.407: Strike “or” after “processes,” strike “,” after “food,” insert “or” after “food,” insert “,” after “fish,” strike “or” after “fish,” and insert “,” after “waters.”

Justification: Creating a list; using Oxford comma; grammatical correction.

33. **Revision:** Reg. 2.408: Insert a comma after “scum” and insert a comma after “deposits.”

Justification: Oxford comma; grammatical correction.

34. **Revision:** Reg. 2.409: Insert a comma after “zone” and insert a comma after “plant.”

Justification: Oxford comma; grammatical correction.

35. **Revision:** Reg. 2.410: Insert a comma after “grease,” insert a comma after “globules,” strike “or,” insert a comma after “residue,” insert a semicolon after “surface,” strike “or,” insert a semicolon after “waterbody.”

Justification: Created a list to correct grammar.

Regs. 2.501 – 2.512

36. **Revision:** Reg. 2.501: Capitalize “State” in first sentence.

Justification: To maintain consistency.

37. **Revision:** Reg. 2.502: Insert “For purposes of determining effluent limits” at the beginning of the first sentence of the paragraph after the table.

Justification: This paragraph applies to effluent limits for permitted facilities and should be identified accordingly.

38. **Revision:** Reg. 2.502: Strike “H” in “heat” in the first sentence and insert “h.”

Justification: “Heat” no longer starts the sentence and therefore does not need to be capitalized.

39. **Revision:** Reg. 2.502: move “The following criteria are applicable:” down to separate from paragraph.

Justification: Separation of permit implementation language and criteria. Standardization within the Regulation.

40. **Revision:** Reg. 2.502: Insert a comma after “lakes” in the last sentence.

Justification: Oxford comma; grammatical correction.

41. **Revision:** Reg. 2.502: Strike “Standards” and insert “criteria” in the second paragraph.

Justification: “Criteria” is more appropriate than “standard.”

42. **Revision:** Reg. 2.502: Strike “Limit” and insert “criteria” in the heading of the second column of the table.

Justification: “Criteria” is more appropriate than “Limit.” Limits are not part of Reg. 2, limits are found in permits and are calculated based on criteria.

43. **Revision:** Reg. 2.502: Strike “(applicable at 1.0 meter depth).”

Justification: This language was not approved by EPA in a 2016 Technical Support Document and is therefore not effective for Clean Water Act purposes and should be removed. This addition was proposed in the previous triennial review to clarify

assessment for lakes. This language is now contained in the Assessment Methodology for the 305(b) report.

44. **Revision:** Reg. 2.502: Capitalize the “W” in “Trout Waters”.
Justification: To maintain consistency.
45. **Revision:** Reg. 2.503: Add a line space after “There shall be no distinctly visible increase in turbidity of receiving waters attributable to discharges or instream activities.”
Justification: Separation of permit implementation language and criteria.
46. **Revision:** Reg. 2.503: Revise “(June to October)” to “(June 1 through October 31).”
Justification: This correction more accurately defines base flows season.
47. **Revision:** Reg. 2.503: Strike “all” and replace with “storm” in the last sentence of the first paragraph and in the table.
Justification: The revision from “storm” to “all” flows was disapproved by EPA in 2008 and upheld after some discussion in the 2016 Technical Support Document. As a result, the language must revert to original.
48. **Revision:** Reg. 2.503: Revise “not less than” to “no less than”.
Justification: Grammatical correction.
49. **Revision:** Reg. 2.503: Insert “Waters” after “Trout” in the table under the “Streams” heading.
Justification: To maintain consistency.
50. **Revision:** Reg. 2.503: Strike “(applicable at 1.0 meter depth)” within the table.
Justification: This language was not approved by EPA in a 2016 Technical Support Document and is therefore not effective for Clean Water Act purposes and should be removed. This addition was proposed in the previous triennial review to clarify assessment for lakes. This language is now contained in the Assessment Methodology for the 305(b) report.
51. **Revision:** Reg. 2.504: Strike “standards” and insert “criteria” in the first sentence.
Justification: “Criteria” is more appropriate than “standard.”
52. **Revision:** Reg. 2.504: Add “rivers” and “lakes and reservoirs” to the first sentence.
Justification: This clarifies the intent that the pH standard is applicable in rivers, streams, lakes, and reservoirs, not just streams.
53. **Revision:** Reg. 2.504: Strike “For lakes, the standards are applicable at 1.0 meter depth.”
Justification: This language was not approved by EPA in a 2016 Technical Support Document and is therefore not effective for Clean Water Act purposes and should be removed. This addition was proposed in the previous triennial review to clarify

assessment for lakes. This language is now contained in the Assessment Methodology for the 305(b) report.

54. **Revision:** Reg. 2.505: Strike “standards” and insert “criteria” in six places within this regulation.

Justification: “Criteria” is more appropriate than “standard.”

55. **Revision:** Reg. 2.505: Strike “they” and insert “streams” in the third paragraph after the table.

Justification: Clarity. As currently written, it is not clear whether “they” refers to streams or discharges.

56. **Revision:** Reg. 2.505: Strike “applicable at 1.0 meter depth.”

Justification: This language was not approved by EPA in a 2016 Technical Support Document and is therefore not effective for Clean Water Act purposes and should be removed. This addition was proposed in the previous triennial review to clarify assessment for lakes. This language is now contained in the Assessment Methodology for the 305(b) report.

57. **Revision:** Reg. 2.507: Insert “Secondary contact use is assumed in all watersheds” in first paragraph.

Justification: Secondary contact should still be protected throughout the year if primary contact use is not attainable on waterbody for any reason.

58. **Revision:** Replace “values” with “criteria in the second paragraph.

Justification: “Criteria” is more appropriate than “values.”

59. **Revision:** Reg. 2.507: Insert “or fecal coliform” after “E. coli” in second paragraph.

Justification: This addition clarifies that the individual sample language applies to either *E. coli* or fecal coliform data.

60. **Revision:** Reg. 2.507: Insert “individual” in the second paragraph before “samples.”

Justification: Insertion of this language clarifies that the 25% exceedance rate and the eight (8) sample minimum applies only to Individual Sample Criteria, not the geometric mean.

61. **Revision:** Reg. 2.507: Strike “standards” and insert with “criteria” in the third paragraph.

Justification: “Criteria” is more appropriate than “standard.”

62. **Revision:** Reg. 2.507: Strike “limit” and replace with “criteria” in table.

Justification: Limits are not part of Reg. 2, limits are found in permits and are calculated based on criteria.

63. **Revision:** Reg. 2.507: Strike “2” as a footnote marker under the “Primary Contact” and “Secondary Contact” headings of the table for ERW, ESW, NSW, Reservoirs, Lakes.

Justification: The associated footnote pertaining to 1.0 meter depth was not approved by EPA and should be removed. This addition was proposed in the previous triennial review to clarify assessment for lakes. This language is now contained in the Assessment Methodology for the 305(b) report.

64. **Revision:** Reg. 2.507: Strike the footnote “Applicable at 1.0 meter depth in Reservoirs and Lakes.” Insert “(RESERVED).”

Justification: This language was not approved by EPA in a 2016 Technical Support Document and is therefore not effective for Clean Water Act purposes and should be removed. This addition was proposed in the previous triennial review to clarify assessment for lakes. This language is now contained in the Assessment Methodology for the 305(b) report.

65. **Revision:** Reg. 2.507: Footnote 5 – Strike “October 1 to April 30”. Replace with “Year-round.”

Justification: This clarifies the intent that Secondary Contact Recreation is year-round. The Reg. 2.302 definition of Secondary Contact Recreation does not limit the use to only part of the year.

66. **Revision:** Reg. 2.508: Insert periods in “CFR” and strike “Part” and insert “§”.

Justification: Standardization within the Regulation.

67. **Revision:** Reg. 2.509(A): Insert a comma after “year” in the second sentence of the first paragraph.

Justification: Oxford comma. Grammatical correction.

68. **Revision:** Reg. 2.509(A) and (B): Strike “standards” and insert “criteria” in three (3) locations.

Justification: “Criteria” is more appropriate than “standard.”

69. **Revision:** Reg. 2.509(B): Insert an “s” after “Arkansas’.”

Justification: The Arkansas legislature supports “Arkansas’s” as the proper way to punctuate the possessive form of Arkansas.

70. **Revision:** Reg. 2.509: Insert parentheses around “d” in the first paragraph in part B.

Justification: Correction. The correct notation is 303(d) not 303d.

71. **Revision:** Reg. 2.509: Insert a comma after “reservoirs” in the last sentence of the last paragraph.

Justification: Oxford comma. Grammatical correction.

72. **Revision:** Reg. 2.510: Insert a comma after “grease,” insert a comma after “globules,” strike “or,” insert a comma after “residue,” strike a comma after “surface,” insert a semicolon after “surface,” strike “or,” insert a semicolon after “watercourses.”

Justification: Created a list to correct grammar.

73. **Revision:** Reg. 2.510: Strike “watercourses” and insert “waterbodies.”
Justification: Consistency. “Waterbodies” is used throughout the document.
74. **Revision:** Reg. 2.511(A): move “The following standards criteria are applicable:” down to separate from paragraph.
Justification: Separation of permit implementation language and criteria. Standardization within the Regulation.
75. **Revision:** Reg. 2.511(A): Strike “=” superscript after “SO4” in the table heading and insert “2-” superscript.
Justification: This is the appropriate way to write the sulfate ion molecular formula.
76. **Revision:** Reg. 2.511(A): Bayou Meto: Revise as follows:
Bayou Meto (Rocky Branch to Pulaski/Lonoke
county line ~~Bayou Two Prairie~~)
Bayou Meto (~~mouth to Bayou Two Prairie~~)
(Pulaski/Lonoke county line to mouth)
- Justification:**
- A 2007 3rd party rulemaking (minute order 04-41) states “modify the dissolved mineral standards for Bayou Meto from the point it crosses the Pulaski/Lonoke County line to the confluence with the Arkansas River as follows: sulfates from 37 mg/l to 45 mg/l and chlorides from 64 mg/l to 95 mg/l.”
 - The October 26, 2007, 2007 version of Reg. 2 submitted to EPA for approval states “Bayou Meto (mouth to Bayou Two Prairie)”.
 - EPA noted in an August 5, 2008 TSD that the reach description in the minute order and in Reg. 2 did not match. EPA’s August 5, 2008 TSD stated approval for “Bayou Meto (mouth to Bayou Two Prairie).”
 - The 2013 triennial review attempted to clarify the original 3rd party rulemaking’s intended reach and revised the regulation to state “Bayou Meto (mouth to Pulaski/Lonoke county line).”
 - EPA’s October 31, 2016 TSD made no statement of this revision (ie approve, disapprove, no action).
 - Additionally there are two sets of criteria noted in the reg for part of Bayou Meto.
 - Therefore the 2016 clarification is once again being made in addition to clarification of the criteria applicable to the upper reach “Bayou Meto (Rocky Branch to Pulaski/Lonoke county line).”
77. **Revision:** Reg. 2.511 (A): Close parentheses on “Bayou Two Prairie (Pulaski/Lonoke county line to.... Smoke Hole Natural Area)”
Justification: Punctuation correction.
78. **Revision:** Reg. 2.511(A): Strike “†” on all values for the entry “Crooked Creek (Harrison WWTP outfall to ...” and for the TDS values for entry “Crooked Creek (Monitoring Station WHI0193 to...”

Justification: EPA approved this site specific criteria revision as per an December 12, 2017 TSD for Crooked Creek – Harrison/Yellville.

79. **Revision:** Reg. 2.511(A): Insert “(to WHI0052)” into entry “White River (Miss....”
Justification: Clarification.

80. **Revision:** Reg. 2.511(A): Move entry “White River from WR-02....” before entry “White River from Noland....”
Justification: Site specific standards in this table are ordered by flow path, downstream to upstream. This clarifies the flow path of the waterbodies.

81. **Revision:** Reg. 2.511(A): Strike “†” footnote indicator in table for entry “White River from WR-02 to WHI0052.”
Justification: Per an August 3, 2018 Technical Support Document, EPA approved site specific criteria for chloride, sulfate, and TDS. Therefore, these values are approved for Clean Water Act purposes and the footnote no longer applies.

82. **Revision:** Reg. 2.511(A): Strike “†” footnote indicator in table for entry “White River from Noland WWTP to 0.4 miles downstream.”
Justification: Per an August 3, 2018 Technical Support Document, EPA approved site specific criteria for chloride, sulfate, and TDS. Therefore, these values are approved for Clean Water Act purposes and the footnote no longer applies.

83. **Revision:** Reg. 2.511(A): Insert “White River headwaters to Noland WWTP 20 20 160” into table.
Justification: Prior to Third Party Rulemaking “White River (Missouri Line to headwaters, including Beaver Reservoir)” was in the Reg. After Third Party Rulemaking, the “headwaters” portion of the entry was inadvertently left out of the revised regulation.

84. **Revision:** Reg. 2.511(A): Strike
- | | | | |
|---|------|-------|-------|
| Unnamed trib A to Flat Creek from mouth of EDCC | 16*† | 80*† | 315*† |
| 001 ditch to confluence with Flat Creek | | | |
| Confluence with unnamed trib A to Flat Creek | 23*† | 125*† | 475*† |

Justification: EPA disapproved these site specific criteria revisions as per an August 31, 2001 TSD.

85. **Revision:** Reg. 2.511(A): Strike “250+” and “940+” and replace with “200” and “850,” respectively, for entry “Red River from Arkansas/Oklahoma state line to mouth of the Little River.”
Justification: In a June 6, 2016 Technical Support Document, EPA disapproved the site specific criteria change on the Red River .Therefore, these criteria must return to their previous values.

86. **Revision:** Reg. 2.511(A): Strike “225+” and insert “200,” for entry “Red River from mouth of the Little River to the Arkansas/Louisiana State line.”
Justification: In a June 6, 2016 Technical Support Document, EPA disapproved the site specific criteria change on the Red River .Therefore, this criterion must return to its previous value.
87. **Revision:** Reg. 2.511(A): Strike the “†” after “780” in the TDS column for entry “Red River from mouth of the Little River to the Arkansas/Louisiana State line.”
Justification: EPA approved this site specific criterion per a March, 6, 2018 TSD. Therefore this criterion is approved for Clean Water Act purposes and no longer necessitates the “†” notation.
88. **Revision:** Reg. 2.511(A): Insert “from Oklahoma State line to Millwood Lake” after “Little River” in the table.
Justification: Clarification of Little River site specific standards. As is, there is overlap of Little River criteria from Millwood Lake to Red River. This occurred in a previous version of Reg. 2 and was never clarified.
89. **Revision:** Reg. 2.511(A): Strike “†” footnote indicator in table for TDS entry “Little River from Millwood Lake to the Red River.”
Justification: In a May 16, 2016 Technical Support Document, EPA approved the TDS site specific criterion, therefore the value of 138 is now approved for Clean Water Act purposes and the footnote no longer applies.
90. **Revision:** Reg. 2.511(A): Strike “limits” and insert “criteria” within the “***” footnote.
Justification: These are water quality criteria, not limits.
91. **Revision:** Reg. 2.511(B): Insert “s” after “Arkansas’.”
Justification: The Arkansas legislature supports “Arkansas’s” as the proper way to punctuate the possessive form of Arkansas.
92. **Revision:** Reg. 2.511(B): Insert “and” between “streams” and “are” within the first sentence.
Justification: Grammatical correction.
93. **Revision:** Reg. 2.511(B): Strike “which” and insert “that” in the second sentence.
Justification: Grammatical correction.
94. **Revision:** Reg. 2.511(B): Strike “=” superscript in “SO₄⁼²” and insert “-“ after the “2.”
Justification: This is the appropriate way to write the sulfate ion molecular formula.
95. **Revision:** Reg. 2.511(B): Insert “-“ superscript after “Cl” and insert “2-“ superscript after “SO₄.”
Justification: Corrections to the molecular formula nomenclature for Chloride and Sulfate.

96. **Revision:** Reg. 2.511(B): Strike “The values listed in the table below are not intended nor will these values be used by the Department to evaluate attainment of the water quality standards.”
Justification: ADEQ added this sentence for the 2013 triennial review. In the October 31, 2016, ROD, EPA took no action on the added sentence, but noted that it was not effective for CWA purposes. EPA’s TSD stated “...Should the state choose to develop and adopt alternative scientifically defensible minerals criteria that would protect the most sensitive designated use, EPA requests that ADEQ describe its proposed approach within 12 months and that the approach include a schedule outlining interim milestones leading to criteria adoption...” In order to fulfil this requirement the Department developed the October 27, 2017 “Arkansas Department of Environmental Quality Mineral Criteria Development Strategy”. This document provides an outline of how the Department plans to address mineral criteria development.
97. **Revision:** Reg. 2.511(B): Insert “-” superscript after “SO₄” in the Sulfates heading of the table.
Justification: This is the appropriate way to write the sulfate ion molecular formula.
98. **Revision:** Reg. 2.511(C): Insert a comma after “250” and after “sulfates.”
Justification: Oxford commas. Grammatical correction.
99. **Revision:** Reg. 2.511(C): Strike “For lakes and reservoirs applicable at 1.0 meter depth.”
Justification: This language was not approved by EPA in a 2016 Technical Support Document and is therefore not effective for Clean Water Act purposes and should be removed. This addition was proposed in the previous triennial review to clarify assessment for lakes. This language is now contained in the Assessment Methodology for the 305(b) report.
100. **Revision:** Reg. 2.512(A): Strike “which” and insert “that” in the footnote beneath the table.
Justification: Grammatical correction.

Appendix A

- 101.
102. **Revision:** Appendix A: Insert a comma after “Standards” in the title of Appendix A.
Justification: Oxford comma. Grammatical correction.
103. **Revision:** Appendix A, throughout: For all lists of “Site Specific Designated Use Variations Supported by Use Attainability Analysis or Other Investigations” within each ecoregion, replace with table format of same information.
Justification: A table format is easier to use and will allow for clarity when referring to referenced map plates.

104. **Revision:** Appendix A throughout: For all lists of “Site Specific Criteria Variations Supported by Use Attainability Analysis” within each ecoregion, replace with table format of same information.
Justification: A table format is easier to use and will allow for clarity when referring to referenced map plates.
105. **Revision:** Appendix A-OM and GC: For all lists of “Temporary Variations Supported by Environmental Improvement Project”, replace with table format of same information.
Justification: A table format is easier to use and will allow for clarity when referring to referenced map plates.
106. **Revision:** Appendix A-OH: Insert “Waters” after “Trout” beneath the Aquatic Life heading.
Justification: To maintain consistency.
107. **Revision:** Appendix A-OH: Strike “standards” and insert “criteria” in five locations within this section.
Justification: “Criteria” is more appropriate than “standard.”
108. **Revision:** Appendix A-OH: Capitalize “waters” after “Trout” under the Temperature heading within the table.
Justification: Consistency.
109. **Revision:** Appendix A-OH: Strike “all” and insert “storm” under the turbidity heading within the table.
Justification: The revision from “storm” to “all” flows was disapproved by EPA in 2008 and upheld after some discussion in the 2016 Technical Support Document. As a result, the language must revert to original.
110. **Revision:** Appendix A-OH: Insert “Trout Waters 10/15” under the streams Turbidity heading within the table.
Justification: Trout Waters has a specific criteria and should be included within this table for consistency.
111. **Revision:** Appendix A-OH: Capitalize “waters” after “Trout” under the Dissolved Oxygen heading.
Justification: Consistency.
112. **Revision:** Appendix A-OH: Strike the “†” footnote indicator from the Crooked Creek and White River entries under the Site Specific Criteria Variations Supported by Use Attainability Analysis heading.
Justification: This footnote is no longer valid for these entries as EPA has approved the site specific criteria.
113. **Revision:** Appendix A-OH: Strike the footnote “† Not applicable for clean water act purposes until approved by EPA.”

Justification: This footnote is no longer needed within this section. All site specific criteria changes have been approved by EPA and are now applicable for CWA purposes.

114. **Revision:** Appendix A-BM: Insert “Waters” after “Trout” beneath the Aquatic Life heading.

Justification: To maintain consistency.

115. **Revision:** Appendix A-BM: Strike “standards” and insert “criteria” in five locations within this section.

Justification: “Criteria” is more appropriate than “standard.”

116. **Revision:** Appendix A-BM: Capitalize “waters” after “Trout” under the Temperature heading within the table.

Justification: Consistency.

117. **Revision:** Appendix A-BM: Strike “all” and insert “storm” in two places under the turbidity heading of within the table.

Justification: The revision from “storm” to “all” flows was disapproved by EPA in 2008 and upheld after some discussion in the 2016 Technical Support Document. As a result, the language must revert to original.

118. **Revision:** Appendix A-BM: Insert “Trout Waters 10/15” under the streams heading of the turbidity criteria within the table.

Justification: Trout Waters has a specific criteria and should be included within this table for consistency.

119. **Revision:** Appendix A-BM: Capitalize “waters” after “Trout” under the Dissolved Oxygen heading within the table.

Justification: Consistency.

120. **Revision:** Appendix A-ARV: Insert “Waters” after “Trout” beneath the Aquatic Life heading.

Justification: To maintain consistency.

121. **Revision:** Appendix A-ARV: Strike “standards” and insert “criteria” in five locations within this section.

Justification: “Criteria” is more appropriate than “standard.”

122. **Revision:** Appendix A-ARV: Capitalize “waters” after “Trout” under the Temperature heading within the table.

Justification: Consistency.

123. **Revision:** Appendix A-ARV: Strike “all” and insert “storm” under the turbidity heading of within the table.

Justification: The revision from “storm” to “all” flows was disapproved by EPA in 2008 and upheld after some discussion in the 2016 Technical Support Document. As a result, the language must revert to original.

- 124.**Revision:** Appendix A-ARV: Strike “(base/all)” after “Arkansas River” under the Turbidity heading within the table.

Justification: The “base/all” language here is redundant.

- 125.**Revision:** Appendix A-ARV: Insert “Trout Waters 10/15” under the streams heading of the turbidity criteria within the table.

Justification: Trout Waters has a specific criteria and should be included within this table for consistency.

- 126.**Revision:** Appendix A-OM: Strike “Mussel” and inset “mussel” for the Caddo River and Saline River entries beneath the heading Ecologically Sensitive Waterbodies.

Justification: It is not appropriate to capitalize “mussel” in this instance.

- 127.**Revision:** Appendix A-OM: Insert “Waters” after “Trout” beneath the Aquatic Life heading.

Justification: To maintain consistency.

- 128.**Revision:** Appendix A-OM: Strike “standards” and insert “criteria” in five locations within this section.

Justification: “Criteria” is more appropriate than “standard.”

- 129.**Revision:** Appendix A-OM: Capitalize “waters” after “Trout” under the Temperature heading within the table.

Justification: Consistency.

- 130.**Revision:** Appendix A-OM: Strike “all” and insert “storm” under the turbidity heading of within the table.

Justification: The revision from “storm” to “all” flows was disapproved by EPA in 2008 and upheld after some discussion in the 2016 Technical Support Document. As a result, the language must revert to original.

- 131.**Revision:** Appendix A-OM: Insert “Trout Waters 10/15” under the streams heading of the turbidity criteria within the table.

Justification: Trout Waters has a specific criteria and should be included within this table for consistency.

- 132.**Revision:** Appendix A-OM: Capitalize “waters” after “Trout” under the Dissolved Oxygen heading within the table.

Justification: Consistency.

- 133.**Revision:** Appendix A-OM: Insert “Temporary” in front of “Variations” in the title of the list of “Variations Supported by Environmental Improvement Project.”

Justification: Adding “Temporary” clarifies that these variations are temporary. This also creates consistency with Reg. 2.105.

- 134.**Revision:** Appendix A-OM: Insert “*” footnote marker for Chamberlain Creek, Cove Creek, Lucinda Creek, and Rusher Creek entries in the Temporary Variations Supported by EIP table.

Justification: Necessary to mark footnote.

- 135.**Revision:** Appendix A-OM: Insert “*These temporary standards variations are effective for 160 months from EPA’s approval of the EIP.” as a footnote below the Temporary Variations Supported by EIP table.

Justification: This footnote clarifies the timeframe the referenced entries have a temporary variation.

- 136.**Revision:** Appendix A-GC: Strike “Domestic Water Supply” from the list of designated uses.

Justification: The text is redundant. Domestic Water Supply is already included in the “Domestic, Industrial, and Agricultural Water Supply” heading.

- 137.**Revision:** Appendix A-GC Insert “Waters” after “Trout” beneath the Aquatic Life heading.

Justification: To maintain consistency.

- 138.**Revision:** Appendix A-GC: Beneath the “Site Specific Designated Use Variations...” heading, strike “†” after the last entry “Red River from the mouth of the Little River to the Arkansas/Louisiana state line – no domestic water supply use (GC-1, #55).”

Justification: In a May 16, 2016 Technical Support Document, EPA approved the removal of the Domestic Water Supply designated use on this segment of the Red River. Therefore, this change is in effect for Clean Water Act purposes and the footnote is no longer needed.

- 139.**Revision:** Appendix A-GC: Strike “standards” and insert “criteria” in ten locations within this section.

Justification: “Criteria” is more appropriate than “standard.”

- 140.**Revision:** Appendix A-GC: Strike “†” after the “(from Millwood Lake to the Red River)” temperature entry within the table.

Justification: EPA approved this site specific criteria revision as per a May 16, 2016 TSD.

- 141.**Revision:** Appendix A-GC: Insert “Trout Waters 20(68) 20(68)” under the temperature heading of the table of specific standards for the GC Ecoregion.

Justification: To maintain consistency.

- 142.**Revision:** Appendix A-GC: Strike “all” and insert “storm” within the table beneath the Turbidity heading.

Justification: The revision from “storm” to “all” flows was disapproved by EPA in 2008 and upheld after some discussion in the 2016 Technical Support Document. As a result, the language must revert to original.

143. **Revision:** Appendix A-GC: Strike “(base/all)” after “Red River” entry for turbidity within the table.

Justification: The “base/all” language here is redundant.

144. **Revision:** Appendix A-GC: Insert “Trout Waters 10/15” under the turbidity heading of the table of specific standards for the GC Ecoregion.

Justification: To maintain consistency.

145. **Revision:** Appendix A-GC: Insert “Trout Waters 6/6” under the dissolved oxygen heading of the table of specific standards for the GC Ecoregion.

Justification: To maintain consistency.

146. **Revision:** Appendix A-GC: Strike “Unnamed tributary to Flat Creek from EDCC Outfall 001 d/s to confluence with unnamed tributary A to Flat Creek Chloride 23 mg/L, Sulfate 125 mg/L, TDS 475 mg/L, (GC-2, #37) †” and “Unnamed tributary A to Flat Creek from mouth of EDCC 001 ditch to confluence with Flat Creek, Chloride 16 mg/L, Sulfate 80 mg/L, TDS 315 mg/L, (GC-2, #38) †”

Justification: EPA disapproved these site specific criteria revisions as per August 31, 2001 TSD.

147. **Revision:** Appendix A-GC: Strike the “†” after the entry “Red River from mouth of the Little River to the Arkansas/Louisiana state line, TDS 780 mg/L (GC-1, #55, 58)†”

Justification: In a March 6, 2018 Technical Support Document, EPA approved the site specific criteria change on the Red River. As a result, this criterion is approved for Clean Water Act purposes and no longer necessitates the “†” notation.

148. **Revision:** Appendix A-GC: Strike “†” footnote indicator at the end of the “Little River from Millwood Lake to the Red River...” entry.

Justification: EPA approved these site specific criteria revisions per a May 16, 2016 TSD. As a result, these criteria are approved for Clean Water Act purposes and no longer necessitate the “†” notation.

149. **Revision:** Appendix A-GC: Strike footnote “† Not applicable for clean water act purposes until approved by EPA.”

Justification: This footnote no longer applies to this section.

150. **Revision:** Appendix A-GC: Insert “Temporary” in front of “Variations” in the title of the list of “Variations Supported by Environmental Improvement Project.”

Justification: Adding “Temporary” clarifies that these variations are temporary. This also creates consistency with Reg. 2.105.

151. **Revision:** Appendix A-GC: Insert “*” footnote marker for Reyburn Creek and Scull Creek entries in the Temporary Variations Supported by EIP table.
Justification: Necessary to mark footnote.
152. **Revision:** Appendix A-GC: Insert “*These temporary standards variations are effective for 160 months from EPA’s approval of the EIP.” as a footnote below the Temporary Variations Supported by EIP table.
Justification: This footnote clarifies the timeframe the referenced entries have a temporary variation.
153. **Revision:** Appendix A-GC: Strike “Variations Supported by Technical Adjustment Red River from the Arkansas/Oklahoma state line to the mouth of the Little River, sulfate 250 mg/L, TDS 940 mg/L (GC-1, #57)†
Red River from mouth of the Little River to the Arkansas/Louisiana state line, sulfate 225 mg/L (GC-1, #58)†”
Justification: In a June 6, 2016 Technical Support Document, EPA disapproved the site specific criteria change on the Red River.
154. **Revision:** Appendix A-GC: Revise Plate GC-1 to remove #57 and #58
Justification: In a June 6, 2016 Technical Support Document, EPA disapproved the site specific criteria change on the Red River.
155. **Revision:** Appendix A-GC: Revise Plate GC-2 to remove duplicate #40 and add #41
Justification: According to text, #41 corresponds to Loutre Creek from Highway 15 S. to the confluence of Bayou de Loutre which has no domestic water supply use.
156. **Revision:** Appendix A-GC: Add seasonal aquatic life use and associated criteria to Coffee Creek upstream of Georgia Pacific’s Mossy Lake Treatment Unit (N33.057, W092.055) to (N33.094, W092.04) and the remaining upstream portion of the historic channel from N33.112, W092.013 to N33.119, W091.995.
Justification: Under the Clean Water Act (CWA), aquatic life use has never been an existing use for Coffee Creek. The 1973 version of APC&EC Regulation 2 stated that Coffee Creek has no Class B uses; Class B uses include aquatic life.

In accordance with 40 C.F.R. § 131.20(a), States are required to reexamine any new information for a waterbody segment with water quality standards that do not include 101(a)(2) uses (fishable/swimmable).

In 2013 AquaAeTer, on behalf of GP, conducted a UAA on Coffee Creek indicating that seasonal aquatic life was observed in Coffee Creek upstream of GP effluent. Seasonal aquatic life is a designated use per Regulation 2.106 and 2.302.

ADEQ proposes a seasonal Gulf Coastal ecoregion aquatic life use for the historic channel of Coffee Creek upstream of Georgia Pacific’s Mossy Lake Treatment Unit from N33.057, W092.055 to N33.094, W092.04 and the remaining upstream portion of the historic channel from N33.112, W092.013 to N33.119, W091.995.

157. **Revision:** Appendix A-D: Insert “Waters” after “Trout” beneath the Aquatic Life heading.

Justification: To maintain consistency.

158. **Revision:** Appendix A-D: Strike “standards” and insert “criteria” in six locations within this section.

Justification: “Criteria” is more appropriate than “standard.”

159. **Revision:** Appendix A-D: Strike “all” and insert “storm” under the turbidity heading of within the table.

Justification: The revision from “storm” to “all” flows was disapproved by EPA in 2008 and upheld after some discussion in the 2016 Technical Support Document. As a result, the language must revert to original.

160. **Revision:** Appendix A-D: Strike “(base/all)” in three locations under the Turbidity heading within the table.

Justification: The “(base/all)” language is redundant for these entries.

161. **Revision:** Appendix A-D: Insert “(Rocky Branch to Pulaski/Lonoke county line)” and strike “from Rocky Branch Creek to Bayou Two Prairie” in the first Bayou Meto entry under “Site Specific Criteria Variations Supported by Use Attainability Analysis” heading.

Justification:

- A 2007 3rd party rulemaking (minute order 04-41) states “modify the dissolved mineral standards for Bayou Meto from the point it crosses the Pulaski/Lonoke County line to the confluence with the Arkansas River as follows: sulfates from 37 mg/l to 45 mg/l and chlorides from 64 mg/l to 95 mg/l.”
- The October 26, 2007, 2007 version of Reg. 2 submitted to EPA for approval states “Bayou Meto (mouth to Bayou Two Prairie)”.
- EPA noted in an August 5, 2008 TSD that the reach description in the minute order and in Reg. 2 did not match. EPA’s August 5, 2008 TSD stated approval for “Bayou Meto (mouth to Bayou Two Prairie).”
- The 2013 triennial review attempted to clarify the original 3rd party rulemaking’s intended reach and revised the regulation to state “Bayou Meto (mouth to Pulaski/Lonoke county line).”
- EPA’s October 31, 2016 TSD made no statement of this revision (ie approve, disapprove, no action).
- Additionally there are two sets of criteria noted in the reg for part of Bayou Meto.
- Therefore the 2016 clarification is once again being made in addition to clarification of the criteria applicable to the upper reach “Bayou Meto (Rocky Branch to Pulaski/Lonoke county line).”

Appendix B

162. **Revision:** Appendix B: Insert “ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION” at the beginning of Appendix B.

Justification: Consistency.

Appendix C

163. **Revision:** Appendix C: Insert “ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION” at the beginning of Appendix C.

Justification: Consistency.

Appendix D

164. **Revision:** Appendix D: Reformat font and placement of “ARKANSAS POLLUTION CONTROL AND ECOLOGY COMMISSION” at the beginning of Appendix D.

Justification: Consistency.

165. **Revision:** Appendix D: Strike “Water Bodies” and insert “Waterbodies.”

Justification: Grammatical correction.

166. **Revision:** Appendix D: Strike “Red” from the “Little Red River” entry of the ESW Waterbody list.

Justification: This listing is incorrect. It should be “Little River” not “Little Red River.”

Appendix E

167. **Revision:** Appendix E: Title page – reformat title page to be consistent with other appendices.

Justification: Consistency.

Appendix F

168. **Revision:** Appendix F: Title page – reformat title page to be consistent with other appendices.

Justification: Consistency.